

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NEW YORK

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The Estate of NICHOLAS KEIFFER, Deceased By  
His Administrator, AMANDA COOK,

Plaintiff,

Civ. No.:

v.

THE COUNTY OF GENESEE,  
GENESEE COUNTY SHERIFF'S DEPARTMENT,  
and  
DEPUTY ZACHARY HOY, Individually and in his  
official capacity as a Genesee County Sheriff's  
Deputy,

Defendants.

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**NOTICE OF REMOVAL**

PLEASE TAKE NOTICE that, pursuant to 28 U.S.C. § 1446, defendants The County of Genesee, Genesee County Sheriff's Department and Deputy Zachary Hoy, hereby remove the action pending in the State of New York, County of Genesee, entitled The Estate of Nicholas Keiffer, Deceased by his Administrator, Amanda Cook v. The County of Genesee, Genesee County Sheriff's Department and Deputy Zachary Hoy, to the United States District Court, Western District of New York, and that this Notice of Removal, together with a copy of all process, pleadings, and orders, have been filed in the Office of the United States District Court for the Western District of New York.

The grounds for removal are as follows:

1. On or about July 5, 2024, plaintiffs commenced an action against the County of Genesee, Genesee County Sheriff's Department and Deputy Zachary Hoy, in the State of New York, County of Genesee, Index Number E71441, with the above

caption, by the filing of a Summons with Notice (Exhibit A). The Summons with Notice was served on or about November 4, 2024. Less than thirty (30) days have passed since receipt of the Summons and Complaint by the County of Genesee, Genesee County Sheriff's Department and Deputy Zachary Hoy.

2. Plaintiffs' Summons with Notice alleges that Defendants violated Decedent's civil rights, among others.

3. As this is a civil action arising under the Constitution, laws or treaties of the United States, this Court has original jurisdiction pursuant to 28 U.S.C. § 1331.

4. This court has supplemental jurisdiction over the claims arguably asserted under State Law pursuant to 28 U.S.C. § 1367, because those claims form part of the same case or controversy as Plaintiffs' claim under 42 U.S.C. § 1983.

5. This action is removable to this Court pursuant to 28 U.S.C. § 1441.

6. Pursuant to 28 U.S.C. § 1446, not more than thirty (30) days have elapsed since Defendants received Plaintiffs' Summons and Complaint. Written notice of the filing of this notice of removal, along with all attachments hereto, has been provided to Plaintiffs' counsel. The written notice of filing and a copy of this notice of removal will be filed with the Clerk of the Supreme Court of the County of Genesee contemporaneously with the filing in this Court.

**WHEREFORE**, the Defendants the County of Genesee, Genesee County Sheriff's Department and Deputy Zachary Hoy request that the action now pending against it in the State of New York, County of Genesee, be removed to this Court.

DATED: November 7, 2024

**WEBSTER SZANYI LLP**  
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## **INDEX OF DOCUMENTS FILED WITH STATE COURT**

Exhibit A	Summons with Notice Filed July 5, 2024 with the Genesee County Clerk
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